



U.S. Department of Justice

*United States Attorney
District of Massachusetts*

Main Reception: (617) 748-3100

United States Courthouse, Suite 9200
1 Courthouse Way
Boston, Massachusetts 02210

May 16, 2005

VIA FEDEX

Stephen D. Judge, Esq.
23 Central Avenue, #605
Lynn, MA 01901

John C. McBride, Esq.
McBride and Natola
240 Commercial Street
Boston, MA 02109

Re: United States v. Juan Rosario, et. al.
04-CR-10160 WGY

Dear Counsel:

During the pre-trial conference, you indicated your clients intent to proceed to trial on June 6, 2005, and it is my understanding that your clients have not contacted the Court to set up any Rule 11 hearing to date. Therefore, the government has begun to prepare for trial and will oppose any acceptance adjustments in the future. In anticipation of trial and in accordance with Local Rule 116.2, the government also provides you with the following statement in the above-captioned matter and additional discovery, Bates numbers 2689-4360.

DISCLOSURES REQUIRED UNDER LOCAL RULE 116.2(B)(2)

The government has provided you with all the discovery presently in its possession required by this Rule or made this material available for your inspection and review.

TRANSCRIPTS

Enclosed are the transcripts generated to date. If the government generates further transcripts, I will promptly produce them to you.

JENKS ACT MATERIALS

Enclosed is the grand jury testimony of S/A Christian Brackett from the indictment and the superseding indictment. If I receive any further Jenks material, I will promptly produce it to you.

WITNESS AND EXHIBIT LISTS

As required by the Rules, the Government shall provide its Witness and Exhibit List on May 31, 2005 as currently scheduled by the pre-trial order or seven days prior to trial should the trial be postponed for any reason.

ADDITIONAL, EXPERT DISCOVERY

You have already received the DEA 7 reports regarding drug Exhibits 1-6. Also enclosed are DEA chemist Maureen Craig's CV and notes and calculations from her analysis of the drug Exhibits 1-6.

DEFENDANT'S DISCOVERY

The government has received no discovery from defendants to date. Please produce any reciprocal discovery forthwith.

ALIBI

The government made a request for alibi information on August 12, 2004. No response from defendants have been received. The government reiterates that request.

Again, please advise me if you believe that there are any outstanding discovery issues. Also, please feel free to contact me with any other matters at (617) 748-3183.

Sincerely,


CYNTHIA W. LIE
Assistant U.S. Attorney

Enc.

cc: WITH ENCL. VIA FEDEX

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cc:

VIA HAND DELIVERY

Elizabeth Smith; Court Clerk to the Honorable William G. Young
(w/o enc.)